

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

## PCT

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/GB2004/004143

International filing date (day/month/year)  
29.09.2004

Priority date (day/month/year)  
30.09.2003

International Patent Classification (IPC) or both national classification and IPC  
F02B25/22, F02M13/04, F02D9/10

Applicant  
RICARDO UK LIMITED

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



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10/574247

1AP20 Rec'd PCT/PTO 29 MAR 2006

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004143

**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004143

**Box No. II Priority**

1. ☒ The following document has not been furnished:

- ☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).  
☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. ☐ It has not been possible to consider the validity of the priority claim because a copy of the priority document was not available to the ISA at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.
4. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-10
	No: Claims	
Inventive step (IS)	Yes: Claims	1-10
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations

see separate sheet

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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/004143

**Re Item V.**

1. The following document is referred to in this communication:  
D : WO-A-99/58829
2. Document D, which is considered to represent the most relevant state of the art, discloses (the references in parenthesis applying to this document):  
*A carburettor (18) for a two stroke engine including a flow duct (16) comprising rich (42) and lean (44) flow passages in parallel separated by a substantially planar partition (64), at least one fuel jet (60,61,62) communicating with the rich passage (42), the partition including an aperture (68) towards which the fuel jet is directed, and a substantially planar butterfly valve (20) being received in the aperture so as to be pivotable between a first position (fig.4), in which the flow duct is substantially closed and the aperture is substantially open, and a second position (fig.6), in which the flow duct is substantially open and the aperture is substantially closed, the upstream half of the aperture being defined by an upstream semi-annular seating ledge (66) affording an upstream seating surface which is engaged by one of the surfaces of the butterfly valve when it is in the second position and a first end surface which extends between the upstream seating surface and that surface of the partition which is directed towards the lean passage, the downstream half of the aperture being defined by a downstream semi-annular seating ledge (64) affording a downstream seating surface which is engaged by the other surface of the butterfly valve when it is in the second position and a second end surface, which extends between the downstream seating surface and that surface of the partition which is directed towards the rich passage. (see page 16, line 9- page 17, line 21; figures 4-6)*

From this the subject-matter of independent claim 1 differs in that:

*at least one of the upstream semi-annular seating ledge, the downstream semi-annular seating ledge and the valve are so shaped that, in use, a pressure differential is created between the rich and lean passages at the upstream and/or downstream edges of the valve, the pressure in the lean passage being higher than that in the rich passage.*

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as that:

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International application No.

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At high load operation (when the butterfly valve closes the aperture) some of the fuel exiting the jets leaks through the seal created by the closure of the aperture by the butterfly valve and escapes into the lean passage.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT), because such a configuration of the (upstream or downstream) semi-annular seating edge for the valve which makes the pressure in the lean passage higher than that in the rich passage is not known from, nor rendered obvious by the available prior art.

3. Claims 2-10 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

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